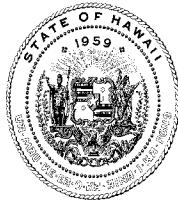


LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
STATE HISTORIC PRESERVATION DIVISION

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
RUSSELL Y. TSUJI
FIRST DEPUTY
KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

MINUTES
O'AHU ISLAND BURIAL COUNCIL MEETING

DATE: WEDNESDAY, FEBRUARY 11, 2009
TIME: 10:00 A.M.
PLACE: DEPARTMENT OF LAND AND NATURAL RESOURCES
1151 PUNCHBOWL STREET, ROOM 132
HONOLULU, HAWAII 96813

ATTENDANCE:

Members: Kehau Abad Cy Bridges
 Chuck Ehrhorn Alice Greenwood
 Leimaile Ehia-Quiteves Hina Falemei
 Shad Kane Kehau Kruse
 Aaron Mahi Kawika McKeague

Absent: Andy Keliikoa (excused)
 Jace McQuivey (excused)

Staff: Linda Kaleo Paik, Cultural Specialist
 Phyllis Coochie Cayan, History and Culture Branch Chief
 Nancy McMahon, Archaeology Branch Chief
 William Wynchhoff, Deputy Attorney General

Guests: David Shideler, Cultural Surveys Hawaii, Inc.
 Doug Borthwick, Cultural Surveys Hawaii, Inc.
 Nalani Dahl, RTD
 Faith Miyamoto, Transit
 Lawrence Spurgeon, Parson Brinkerhoff
 Lani Maa Lapilio, Aukahi
 Kekuewa Kikiloi, KSBE
 Ulalia Woodside, KSBE

Erin Kinney, KSBE
Kauai Burgess, KSBE
Kealoha Kuhia, Ohana Kuhia
Jean Rasor, Kahu o Kahiko
Keola Lindsey, OHA
Anthony Benzon, Ohana Kalam
Major David Hudock, Environmental Director MCBH
June Cleghorn, Cultural Resource Management MCBH
Greg Dickhens, Kyo-Ya
Randall Sakumoto, McCorstin Miller Mukai MacKinnon
Robert Iopa, WCIT
Tin Hu Young, Kawaiahao Church
Don Caindec, Kawaiahao Church
Dawn Chang, Kuiwalu

I. CALL TO ORDER

Quorum was established. Council voted to have Chuck Ehrhorn chair the meeting until Vice-Chair McKeague arrived to the meeting. Meeting was called to order at 10:10 am and Mahi offered a pule.

II. INTRODUCTION OF COUNCIL MEMBERS AND SHPD STAFF & ROLL CALL

Council members and the SHPD staff introduced themselves. Attendance was duly noted for the record.

III. OPENING REMARKS

No opening remarks were made.

IV. APPROVAL OF MEETING MINUTES

Minutes were deferred to end of the agenda

V. COUNCIL ACTIONS

A. Kyo-ya Hotels and Resorts, LP for Princess Ka'iulani Renovation and Redevelopment Project and Diamond Head Tower Redevelopment Project Waikiki Ahupua'a, Kona District, Island of O'ahu

[TMK: (1) 2-6-022: 001, 041; 2-6-01: 12, 13]

Information/Discussion/Recommendation: Presentation by Kyo-ya Hotels and Resorts, LP, WCIT, Cultural Surveys Hawaii, Inc. and Aukahi, on the proposed Princess Ka'iulani Renovation and Redevelopment Project and the Diamond Head Tower Redevelopment Project.

Lapilio introduced the members of the presentation team for the subject project. Dickhens gave a brief summary of the project. Kyo-ya has four major properties in the Waikiki area, Royal Hawaiian Hotel, Sheraton Waikiki, Princess Ka'iulani Hotel and Moana Surfrider Hotel on approximately 20 acres of land. Kyo-ya is in the process of

renovating and redeveloping their properties. The Royal Hawaiian renovation has just been completed and Kyo-ya is looking at the redevelopment of the Princess Ka'iulani Hotel and the redevelopment of the Diamond Head tower of the Moana Surfrider Hotel.

There are three towers that are 50 years old and the plan is to remove and redevelop the sites. The planning of this redevelopment has been ongoing for the last three years. Kyo-ya has hired WCIT to design the redevelopment of the project.

At this point, Vice-Chair McKeague arrived and took over as chair of the meeting.

Iopa of WCIT gave a power point presentation of the proposed design. Iopa opened the presentation by giving a brief history and historical significance of the site. The first phase of the project will be the redevelopment of Princess Ka'iulani Hotel. One of the significant elements of the area is Āpuakēhau Stream. Another significant element was Princess Ka'iulani herself and her ties to the area and in particular the banyan tree at her home at Āinahau. Also significant are the peacocks found at Āinahau and Indian Jasmine or pīkake. These significant elements were incorporated in the design.

The hotel is bounded by Kalākaua Avenue and Ka'iulani Avenue with the International Market Place on the 'Ewa side and Miramar Hotel on the mauka side. There are three existing towers on the property, Āinahau, Princess and Ka'iulani towers. The only tower to remain will be the Āinahau Tower. The redevelopment will include a greater emphasis on open public space and access. Buses will be rerouted to use a turnout from a side entrance. Sidewalks will be improved and buffered by extensive landscaping for an approximate 100 feet along Kalākaua Avenue.

The presentation gave an overlay of the project showing the existing and the proposed changes. The Princess and Ka'iulani towers will be demolished and replaced with a single tower with a mauka/makai orientation to allow for greater mountain to sea view corridor. The major components of the proposed plan will be the renovation of the Āinahau Tower, a new Pīkake Tower for hotel, condominium and residential use. Retail spaces will be off of Kalākaua Avenue with a new arrival entry that would bring guests to the center of the property. Major parking, ball room facilities and pool will be located towards the back of the property.

The Diamond Head Tower will emphasize the elements of surfing and the "Beach Boy" culture. The plan would open an access to the beach by creating a larger corridor for beach access. The plan addresses improvements to the City and County access. Restaurants will be located on the second floor. The redevelopment would be aligned to give a better view plane to the mountain and sea. The Banyan Tower will be removed.

The footprints of the Princess Ka'iulani property as well as the basements areas have been previously disturbed. Iopa turned over the presentation to Cultural Surveys Hawai'i (CSH).

Shideler from CHS gave a brief archaeological history of the approximate four acre parcel of the Princess Ka'iulani Hotel. The parcel was geologically dominated by

Āpaukēhau Stream and existed until the 1920's and was a major drainage for the Waikīkī area. There is high confidence that there are no Kūpuna on the banks of the Āpaukēhau Stream alignment. There are two Land Commission Awards that were primarily habitations and agricultural which have potential for concern. The south border of the parcel was the sight of an old church and may prove to be of high concern. In 1916 the church sold the property and disinterred the remains from the cemetery of approximately 39 Kūpuna. These Kūpuna were relocated to the Kawaiaha'o Church cemetery.

CSH is proposing a three step plan for this project: Archaeological Inventory Plan (AIP), Archaeological Inventory Survey (AIS) and Archaeological Monitoring Plan (AMP). At present, the project is in the AIS stage of the process and robust testing has begun. There are 11 test sites approximately 100 meters in total.

The Diamond Head Tower does not have evidence of Kūpuna discoveries. There are basements on the existing project that make up approximately 1/3 of the area and no Kūpuna were found at the time of original construction. It can be assumed that those areas have been previously disturbed with low probability of concern. CSH did an AIS for a grease trap in an adjacent area and found no Kūpuna. However, there were finds in the area such as the main Moana Hotel and the Waikīkī Police Station.

Mahi asked if the property line on the map indicated the present boundary of the property. Dickhens replied that the property line extends out further into the sea. Mahi asked if that was the 1915 boundary line and Dickhens replied affirmative.

Ehrhorn asked if there were any Kūpuna found in the construction of the pool or basements. Shideler replied that there is no record of discoveries. Ehrhorn asked how many additional units will there be for the new project. Dickhens replied that the Princess Ka'iulani Hotel has currently 1140 hotel units. The new project will decrease the hotel units to the following units: 660 hotel, 200 condo and 70 residential units. The Diamond Head Tower currently has 140 hotel units. The new project will have 170-180 hotel and 40 residential units. The net will be a decrease in overall units for the entire project.

McKeague asked if the open areas can be tested before demolition occurs to find potential areas of concern. Shideler responded that a robust testing will be proposed to SHPD for approval.

Ehrhorn asked if there will be testing after demolition. Shideler asked to defer the response until more information is available. CSH will come before the Council as the project proceeds and will be prepared to answer questions as information is available.

Abad questioned whether the use of ground penetrating radar testing would be reliable as the area has jaucus sand deposits which are calcareous in nature and the remains are calcareous in nature. As ground penetrating radar picks up anomalies in the underground strata, the concern is that the equipment would not be able to distinguish one from the

other. Abad would like to see use of other methods of testing and to concentrate on areas known to be habitation sites.

Dickhens stated that the project area is still an active hotel which limits the areas that can be tested. The hotel will still be operational during construction as well. The hope is that there will be enough pre-testing to give a reasonable indication of potential concerns.

Abad inquired if there are more Kūpuna found at the old cemetery site, would Kawaiaha'o be willing to accept the Kūpuna to their cemetery and has conversations begun to that end. Lapilio responded that Kawaiaha'o has a complete list of individuals that were buried at the old church. Already in progress is a plan to present to the Board of Trustees of Kawaiaha'o the option of reburial on their property. Lapilio added that correspondence has begun with families whose Kūpuna were at the old church site and meetings are being scheduled. Consultation meetings have commenced with SHPD as well.

Kuhia had two questions in regards to the project. One, since the project is referencing the Land Court Application maps, was the title abstract with the changes of ownership researched. There is a lot of information that can be gained from those documents. Two, has permission been granted from 'ohana to use the name of Princess Ka'iulani. The question is whether the owners have permission to use a family genealogical name for their place of business. If the owners do not, then the name must come off of the hotel.

Raser voiced a concern that the stream area if tested as proposed would include the possibility of Kūpuna that may have washed downstream. That possibility needs to be addressed.

Falemei gave a brief cultural awareness of the importance of the essence of Kūpuna whether the physical remains are present or have disintegrated. She wanted to know if the option of preservation in place been taken into consideration. Also, has there been discussion to set aside a site for the possibility of discoveries whether or not Kūpuna are found and that the site selected not be in an obscure area but in an area of respect and prominence within the project. Lapilio responded that preservation in place will be the first option considered and the site would be selected through consultation with descendants and the Council.

Abad asked how the development process intends to avoid a concentration of burials. Historically, Waikīkī has had concentrations of burials for different projects. How will the project assure that archaeological testing is sufficient or identification of areas of concern are made with high degree of confidence prior to construction so that the discovery of a concentration does not happen mid way through the project with minimal redesign options.

Raser expressed his concern over the selection of burial sites on projects such as this. In the past, Kūpuna were removed and placed in an area that from a western perspective seemed acceptable with landscaping such as laua'e and grass. The problem is that fertilizer is used which breaks down the remains at an accelerated rate and unnaturally. He remarked that if the Kūpuna disintegrate naturally, it is culturally acceptable. If we

allow the Kūpuna to be placed in areas where fertilizer will be used then we are responsible for not giving adequate protection of the Kūpuna. The location and maintenance including landscaping should be reviewed from a cultural perspective in the developing a re-interment site.

Quiteves gave her support to the mana'o of the other Council members and thanked the project for bringing the project to the Council at the early stages of the development.

McKeague also added his appreciation for the early presentation and chance for the Council to share their recommendations and concerns.

B. Kaka'ako Master Plan for Kamehameha Schools Property, Kaka'ako Ahupua'a, Kona District, Island of O'ahu
[TMK: 2-1-30:01; 2-1-53: 4, 5, 27; 2-1-54: 1, 25, 27, 28, 32; 2-1-55: 1-3, 6, 9, 17, 18, 21, 26, 32-35, 38; 2-1-56: 2-3, 7, 8]

Information/Discussion/Recommendation: Presentation by Kamehameha Schools and Aukahi, on the proposed master plan for the Kamehameha Schools property in the Kaka'ako Hawaii Community Development Authority.

Kamehameha Schools (KS) and Aukahi gave a presentational update on their Kaka'ako redevelopment project. Woodside reported that the Master Plan was submitted to Hawai'i Community Development Authority (HCDA) on November 26, 2008 and HCDA returned with comments the plan on January 8, 2009. KS is in the process of reviewing the comments. After the response to HCDA, the application will have public comment which could take up to 200 days.

Kikiloi updated the Council on the Archaeological Inventory Plan (AIP). Handouts were given to follow the update. The focus for discussion centered on the CompUSA parcel or Lot 4. The following have been done for the plan: historical study, Geo-reference and the makai assessment (below Ala Moana Boulevard). Presently, sampling strategy and exploring new ways to be proactive in identifying areas of concerns are being looked at for the plan. There have been five trenches dug as part of the inventory survey that proved to be mostly fill. On the lot, 25% is building and 75% open space. The challenge will be to see what is beneath the building. Possible methods to be used to identify possible concerns will be drilling in specified areas and mini-backhoe to open up trenches ahead of demolition. KS is working with an engineer to see how many drillings and or trenches can be done without jeopardizing the integrity of the building foundation. KS will be submitting a draft AIP to SHPD, descendants and OIBC to see if all parties are comfortable with the work that is being proposed.

Kruse asked who makes the determination of where the trenches will be. Kikiloi explained that the parking lot is open and trenching would not be a problem. However, the building has constraints in terms of structural integrity and the engineer would make that determination.

Ehrhorn asked if there was a project schedule for this parcel. Woodside answered that there is no work schedule for the project. Presently, KS is only updating and providing information. Lapilio added that a site visit was conducted with the descendants for all of

the parcels in the proposed project. The descendants are comfortable at this time with the process.

Kuhia wanted to know how the issue of discoveries would be addressed in the inventory survey. Would the Kūpuna be reburied right away or kept in boxes until the project is over. Kuhia also stated that his 'ohana would be filing to get lands belonging to KS back into 'ohana hands.

Falemei stated this generation needs to be mindful of the changing times and to keep a balance of progress with the cultural kuleana of our Kūpuna. She asked the Council to take into account the decisions made be just, pono and fair and also to secure a vantage point of leverage in the community that will empower the generations to come.

Greenwood asked if KS knew of the leprosy detention center in the area. KS responded that the center was in the parcel next to Lot 4 across from the Gold Bond Building. Greenwood asked if monitoring would be done on that parcel. KS responded that all parcels would follow the proposed plan that includes monitoring.

C. Kawaiaha'o Church Multipurpose Building Renovation Project, Honolulu Ahupua'a, Kona District, Island of O'ahu

[TMK: (1) 2-1-032:017]

Information/Discussion: Presentation by Kuiwalu and Kawaiaha'o Church. Informational update on the inadvertent discoveries on the subject project.

The presentation would cover three areas: an overview of the project purpose, the reasons for doing construction in a cemetery and an update on the discoveries. Caindec gave a brief summary of the purpose of the building and the benefits this building will have for the church and the community at large. Occupancy for the building is scheduled for summer of 2010.

Chang explained the reason for the excavation through the cemetery was due to the connection of the sewer and utility line to the street. The route chosen seemed to be the least for impact. The church knew at the onset that the area would be of concern as it is a cemetery and many of the graves over time have lost their identifiers. In anticipation of this concern, the Na Iwi Committee was formed to address the care and curation of the Kūpuna that would be uncovered. Kawaiaha'o has set plans to aside a site for re-interment but would like to hear from the Council on recommendations they may have. Outreach has been ongoing with descendants and community. There are three lots that have been impacted by the trenching; Metcalf, Kapiolani and Kuhiaopio Ohana. There have been six kahea or calls to the families of these lots. Chang explained that there is a gray area in regards to jurisdiction in terms of burials. The Department of Health (DOH) has jurisdiction of burials in active or known cemeteries. In this case, DOH will not give a permit for disinterment for a burial where the deceased individual is unknown, therefore the jurisdiction fell to SHPD. In all instances when Kūpuna were found, work stopped until determination could be made by SHPD. The project has on site monitoring. The project has proactively looked at designs and methods to minimize the impact to burials but it is a cemetery and by nature has burials.

Shideler gave a summary of the inadvertent discoveries to date. All work was done in accordance with an approved monitoring plan. A total of 21 minimum individuals have been discovered of which majority were coffin burials. Most have been disinterred except for four that are waiting for SHPD determination. Controlled excavation has been implemented to minimize impact to the burials. Construction has stopped until further consultation. Caindec explained that none of the discoveries have been in the footprint of the building. Shideler added that some of the remains are fragments which indicates previous disturbance.

Quiteves thanked the parties involved for the good work on the project in putting a committee together with individuals with burial kuleana to address the care of the Kūpuna and keeping the families informed.

Kanoe Cazimero, a Na Iwi Committee member, is caring for the disinterred Kūpuna at the curation facility at Kawaiaha'o Church.

Shideler believes that there is low level of pre-contact burials in the vicinity of Kawaiaha'o but realizes that there is always a possibility of pre-contact discoveries.

The Na Iwi Committee has put together a DVD that gives protocol for the care of Kūpuna which will be followed for all discoveries on the project.

Abad asked SHPD to explain the process. She remembered a presentation that emphasized above ground work but cannot remember that there was a discussion on the infrastructure such as the utility lines for the project. She felt that if that discussion had occurred, it would have signaled a red flag for the Council to inquire about a need for an archaeological inventory survey. She does not believe that the parties cut corners or were not forthright in their representation of the project. However, if the discussion had occurred, there may have been recommendations such as hand trenching or controlled excavation as a method. She was made aware of the trenching because her child attends the school next door and she happened to see the trenching going on with heavy equipment and felt remiss in her kuleana for the protection of the Kūpuna. She also wanted to know how the Kūpuna were addressed by the church for the disturbance because there are little children next door exposed to these disturbances. What is the assurance that the Kūpuna are at peace with the disturbance.

McMahon explained that SHPD had the same concerns as expressed by the Council. She was not sure how the decision was made to only require monitoring. When the number became high, Aiu called for a meeting to address how to proceed in light of the probability of finding more. Chang added that the outcome of the meeting was to change the method of trenching to controlled excavation. Chang answered Abad's question in regards to see if the Kūpuna are at peace with the decisions made so far by stating that the church has a prayer group to address this concern.

Kuhia thanked Lapilio for contacting his 'ohana on the project. The church has their own records and the family has their own records and both should be looked at to confirm accuracy.

McMahon asked the Council to give their recommendations for the burials which have not been determined for removal or preservation in place.

Falemei suggested that there will be much more Kūpuna encountered on the project. One cannot anticipate exactly how many or where the finds will be encountered. The discovery of multiple burials one onto the other indicates familial ties to each other. The immediate area including the Mission Houses have potential for high concentrations of burials. It would be prudent to have a plan in place to address this high probability and have a contingency plan for the eventuality of discoveries. The Council exists to bring a cultural perspective to issues. The plan should also address the possibility of descendants coming forward to take up their kuleana for the Kūpuna. Having proactive measures that shows the community the Council is thinking ahead.

Abad clarified her earlier comments by saying her concern was the process and to make sure the best methods are implemented that provide the gentlest and most respectful manner of treatment for the Kūpuna. An inventory survey would have helped in this situation as it would have given information prior to the trenching and open the door for possible options for redesign.

Aiu asked the Council for a recommendation for the utility trench and the disposition of burial #6E.

Quiteves asked if OHA had a recommendation for burial #6E. McMahon answered that there was no recommendation for the burial.

Kuhia suggested that the Kūpuna near the sewer line be moved.

Quiteves stated that the Council should gather as much information as needed in order to make an informed decision. She asked everyone to keep in mind that decision to remove should be taken seriously regardless if it be a cemetery. She trusts the Council's decision regarding this matter but would like to see if there is an alternative route. Chang responded that the construction team did go back to see if another route would be possible but given the constraints of the requirements, the alternative route would be much longer and therefore greater potential impact on Kūpuna. The work for the sewer line is 80% complete and the determination was made to stick to the original route.

Mahi suggested that after hearing from the Department at this point the issue is being taken wholeheartedly by the members of Na Iwi Committee and for the interest of our meeting that the Council recommend to the Department that the Kawaiaha'o committee has in place what needs to be in place and to continue with their in caring for the Kūpuna.

Motion: Knowing that the Council is aware of the needs of the project that the Council encourage the committee to continue in their deliberation in all aspects of the needs that are there and that the Council recommend to the Department that they continue to foster their progress.

Mahi/Kruse
Vote: unanimous

- D. Informational Update on the Honolulu Rapid Transit Honouliuli, Ho‘ae‘ae, Waikele, Waipi‘o, Waiawa, Mānana, Waimano, Waiau, Waimalu, Kalauao, ‘Aiea, Hālawā, Moanalua, Kahauiki, Kapālama, Nu‘uanu, Pāuoa, Makiki, Mānoa, and Waikīkī Ahupua‘a, ‘Ewa and Kona Districts, Island of O‘ahu**
[TMK: Various]
Information/Discussion/Recommendation: Council discussion and recommendations on the project.

McKeague recused himself from this item and Ehrhorn took over as Chair. Miyamoto updated the Council on the latest changes from the previous meeting. One change was the passing of a resolution to change the route to the alignment closer to the airport and not on Salt Lake Boulevard. Advice was given to combine the Memorandum of Agreement that is being prepared for the cultural resources and the Programmatic Agreement (PA) that is being prepared for the cultural and archaeological resources. This is the PA that has been discussed in previous meetings. The intent is to include the current provisions in the PA in its entirety to the combined document. It is currently being prepared. Discussion with the Task force is continuing the coordination work for the Archaeology Inventory Plan and also to determine possible re-interment sites along the route. The next meeting is scheduled for February 25. The time line for the beginning of construction is the end of 2009 and a record of decision by fall of 2009.

Abad asked about the request to the realignment of the Halekauwila section. Miyamoto stated that any change would have to come from the City Council. There has been no indication of a re-alignment to date.

Abad also asked the Council if the other members of the Council have issues that they would like addressed. No issues were mentioned.

Quiteves asked if SHPD would be able to give email and phone numbers for the Council. Paik responded that she would be able to get a list of members that gave approval to release the information.

- E. Marine Corp Base Hawaii Projects Update**
Information/Discussion: Presentation by MCBH to discuss projects at the Marine Corp Base. Council discussion and recommendations.

Hudock focused on the timeline for a Programmatic Agreement (PA) between the concerned parties. A handout was given to the Council. The Department of Defense is in the process of formulating a protocol for consultation. After that has been done, MCBH will finalize their PA. There is a draft PA and MCBH will update and present the draft at the April meeting.

Abad asked if there was a venue to have consulting parties attend a meeting for greater collaboration between groups. Cleghorn will initiate a letter to propose a joint meeting of all consulting parties. The Council will be on the distribution list from MCBH. Also the PA will be presented at the April meeting.

The PA would address the types of consultation, when and to what degree the consultation shall take place.

Falemei had a concern that the dealings with the military have historically placed Hawaiians at a disadvantage. The PA may satisfy the discussion at hand but the political authority will make the final decision. OHA or other community members with consensus from a Hawaiian perspective will not necessarily mean that the mana'o carries weight. Recommendations can be made but it does not mean that there is an obligation to follow those recommendations. Hawaiians are not in political power. It does not mean that we give up our kuleana but we must remain diligent in our efforts to put our issue to the forefront.

Kuhia wants to have the 'ohana recognized under the NAGPRA for Mōkapu and not as an organization. He is still waiting to see how his claim will be handled for these Kūpuna at Mōkapu. He is exercising his right as a Native Hawaiian under NAGPRA.

Cleghorn reported an inadvertent discovery on January 27 on base. She did not have a contact for the OIBC to send this kind of correspondence. Paik stated that the correspondence can go to SHPD and she will send to the Council members.

F. Legislative Task Force

Information/Discussion/Recommendation: Council discussion and recommendation update on possible items for the 2009 legislative packet.

The Task Force is continuing their efforts to keep track of the bill before the legislature and will update as bills progress.

G. Update on vacancies to the Oahu Island Burial Council.

Information/Discussion/Recommendation: Division update on members of the Council whose terms are ending on June 30, 2009 and update on progress in submitting names to the Governor for two seats that will be vacated for representation in the large landowner/developer category.

Paik gave an update on the vacancies for the Council. There are six positions that will be vacated on June 30, 2009. The four regional representative seats have the current members up for renewal and will apply. The only concern is for the Landowner/developer seats. Paik has made contact with John Morgan of Kualoa Ranch, Castle and Cook, Kān'ohe Ranch, Laurie Lucking from Army and Bennett Evangelista from Actus Land Lease. So far only John Morgan has shown interest in participating. Mahi suggested that the City be contacted to see if there may be a City Division who may want to serve.

H. Status Update on Section 106/NAGPRA Correspondence

Informational/Discussion/Recommendation: Report from the council's designees established to screen the review of Section 106/NAGPRA Correspondence. Council updates, discussion and recommendations.

No new information other than the items from the correspondence.

VI. SHPD INADVERTENT DISCOVERY REPORT

No other inadvertent reports other than the Kawaiaha'o discoveries already discussed earlier.

**A motion was made to defer the January minutes to next month.
Ehrhorn/Greenwood
Vote: unanimous

VII. ADJOURNMENT

Meeting was adjourned at 1:55 pm.

Ehrhorn/Greenwood
Vote: unanimous

Respectfully submitted by,

Linda Kaleo Paik